STATE OF COLORADO } ss COUNTY OF ELBERT }

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Courthouse in Kiowa on Wednesday, April 27, 2022, there were present:

Chris Richardson

Chair

Grant Thayer

Vice Chair Commissioner

Rick Pettitt Amanda Moore

Deputy Clerk to the Board

When the following proceedings, among others were had and done, to wit:

APPROVE RESOLUTION 22-16

<u>CORNERSTONE REZONE (CASE NO. RZ-22-0085)</u> A REQUEST TO REZONE APPROXIMATELY 47-ACRES FROM AGRICULTURE (A)

TO AGRICULTURE RESIDENTIAL (AR) AT 32471 NORTH ELBERT ROAD, KIOWA.

WHEREAS, the applicant CJ Kirst on the behalf of the property owner has submitted an application (Case No. RZ-21-0085) requesting approval of a rezoning from Agriculture (A) to Agriculture Residential (AR); and

WHEREAS, due to a discrepancy in the Community & Development Services file management service, the Cornerstone Rezone has two effective case numbers in RZ-21-0060 and RZ-21-0085; and

WHEREAS, Justin and Stacey Upchurch are the current owners of the property subject to the proposed Rezoning request; and

WHEREAS, on April 19, 2022 the Planning Commission held a public hearing on the proposed Cornerstone Rezone. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 6-0, Planning Commission forwarded a recommendation of approval with conditions to the Board of County Commissioners for consideration; and

WHEREAS, the Board of County Commissioners, having found that the original hearing was properly noticed, and having reviewed the recommendation of the Planning Commission, and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise;

BE IT THEREFORE RESOLVED, the Board of County Commissioners for the County of

619126 B: 827 P: 515 RES 04/28/2022 02:22:43 PM Page: 2 of 2 R 0.00 D Dallas Schroeder Recorder, Elbert County, Co

Elbert, Colorado does hereby approve the **CORNERSTONE REZONE Case No. RZ-21-0085**) with conditions of approval to include:

- 1. The applicant will be required to remove the public hearing sign within seven (7) days of a decision by the Board of County Commissioners; and
- 2. The Rezoning shall not become effective until all fees are paid, conditions of approval are met, and the Rezone Exhibit is recorded; and
- 3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.
 - 4. Provide CDS a receipt of payment of stated impact fees to the Elbert County C-2 School District prior to recordation of the final plat.

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:

CHRIS RICHARDSON, CHAIR

GRANT THAYER, VICE CHAIR

RICK PETTITT, COMMISSIONER

ATTEST: DALLAS SCHROEDER COUNTY CLERK

BY: amanda w Moore

Deputy Clerk to the Board - Amanda Moore